



# Arizona Criminal Justice Commission

## Arizona Criminal Justice Information Sharing Symposium:

### Vision to Value

#### Need for Justice Information Exchange

Each year, thousands of potential employees seeking public and private sector jobs in Arizona submit to a criminal background check. For many of these job seekers, passing a background check is required to obtain a professional license; in other cases, Arizonans must possess fingerprint clearance cards issued by the Arizona Department of Public Safety (DPS) in order to work with vulnerable populations such as children, the elderly and the disabled. Some private sector employers wishing to protect against potential liability lawsuits hire a private firm to conduct criminal background checks.

When police arrest and book a suspect on criminal charges, his fingerprints are taken and entered into the Arizona Automated Fingerprint Identification System (AZAFIS) to ascertain the identity of the person in custody. The police also run the suspect's name, date of birth and fingerprints to check for criminal history. The suspect's criminal history information is used to determine what sort of risk he poses when he is considered for bail. A judge's ability to fairly determine the suspect's risk to the community is dependent upon the accuracy of the criminal history provided to the court.

In Arizona, all criminal background checks, including pre-employment checks, are conducted through the Arizona Department of Public Safety (DPS). DPS is the central repository for all state criminal arrest and disposition information, which is housed in the Arizona Computerized Criminal History (ACCH) database. This includes information for suspects who are arrested, convicted and sentenced as well as suspects who are acquitted.

The information contained in this system is used for a variety of critical business purposes throughout the criminal justice system. Prosecutors and judges make charging and sentencing decisions based on the information. Law enforcement officers make discretionary arrest and detention decisions based on it. Corrections officials make character assessments and parole and probation decisions based on the information from the system. And the private sector makes important business decisions based on information available to them from the ACCH. The decision to hire or fire a person may be made based upon information contained in the ACCH, the Criminal History Record Information.

So many decisions are based on these records, but how accurate are the criminal history checks in Arizona? Until 2006, these records were consistently less than 60 percent complete and accurate. The records quality index measured by the Bureau of Justice Statistics indicated that Arizona's criminal history records are now 67 percent complete and accurate.

*Our mission is to sustain and enhance the coordination, cohesiveness, productivity and effectiveness of the Criminal Justice System in Arizona*

This gap in accuracy leaves the public vulnerable. When families hire contractors, realtors, pest control applicators and other licensed professionals to come into their homes, they must be able to trust that a thorough background check has been conducted on the person before he or she was licensed. Parents want to know that their children's teachers, day care workers and school bus drivers have been adequately screened before being hired.

Accuracy of the criminal history records is an important issue, but so is the ability to exchange information across platforms in a timely manner. Courts, probation, and law enforcement must all have access to the most current information regarding a suspect or defendant. Slow processing of case information can (and has) result in suspects being released, granted bail or sentenced to probation when they should remain in custody.

The inability to electronically share information among law enforcement agencies can hinder investigations that cross jurisdictions, such as the recent high-profile cases involving the Baseline killer and the serial shooters. Criminals do not recognize municipal and state jurisdictions while committing crimes. When one jurisdiction puts pressure on a serial or repeat offender (such as Phoenix Police Department), the criminal may opt to move to a nearby jurisdiction, where the investigation will start anew (such as Mesa). In the time it takes for Mesa and Phoenix to understand they are dealing with crimes committed by the same suspect(s), there is that extra time in which more people are victimized.

### **Arizona in 2006**

Because so many important decisions—potentially life and death decisions—are made based on criminal justice information, it is imperative that the information be as accurate and complete as possible. Unfortunately, the information in Arizona's Computerized Criminal History (ACCH) system is woefully incomplete. However, there are some improvements being made. Automation in various jurisdictions across the state has resulted in an increase in efficiency and accuracy. As mentioned above, Arizona criminal history records had previously fallen below 60 percent accurate, but the most recent figures from the Bureau of Justice Statistics (BJS), which measures the accuracy of criminal history records in all states, indicated that Arizona's records are now 67 percent accurate. Although the accuracy rate has moved in a favorable direction, Arizona must continue to work to increase the completeness of criminal history records.

For many years, much of the recording of criminal justice records was a manual process, and jurisdictions were not connected. (This remains status quo for many jurisdictions in Arizona.) Disposition reports were late getting logged, and in some cases, were never logged. It was clear that communication breakdown among the criminal justice agencies was a problem, particularly with regard to disposition report filing.

This problem is not unique to Arizona; many other states face similar problems with maintaining accurate criminal history information. The federal government recognized

this as a problem in the early 1990s and mandated that states work to improve the quality of criminal history records. The Byrne Memorial Formula Grant Program was amended to require that states receiving Byrne funds improve criminal justice information systems to assist law enforcement, prosecution, courts and corrections organizations (including automated fingerprint identification systems).

Through federal grants, Arizona has made progress toward building an infrastructure that would allow for statewide integration of criminal history records. The Arizona Criminal Justice Commission has been the statewide agency responsible for strategic planning and coordinating among the local jurisdictions, working with stakeholders to assess, determine and develop implementation strategies for criminal history record improvement throughout the state.

As part of this effort, ACJC contracted with Northrup Grumman to prepare a project plan for an improved disposition reporting management (DRM) system. The DRM project was originally conceived and recommended in the *Arizona ICJIS Strategic Plan* (March 2002), which identified the need for improved accuracy and completeness of disposition reporting to the Arizona Computerized Criminal History system. Northrup Grumman delivered a DRM conceptual design document and a DRM system architecture design document in November 2004. Northrup Grumman determined that the cost to improve disposition reporting throughout the state would cost \$34 million.

Since 2003, the federal funds used for planning and creating an infrastructure have decreased more than 60 percent and ACJC has not been able to secure a funding source to carry out the criminal history project. Federal funding sources were never intended to fully fund the entire architecture of integrated justice records systems statewide. The need for improved records integration systems was identified as a critical budget item in the 2005 legislative budget cycle, but this was not recommended for funding. ACJC continues to work to educate state legislatures regarding the importance of this issue to public safety. This critical budget item is included in the 2007 appropriations process.

## **Strategic Plan**

Upon submitting the critical budget item to the state legislature for consideration, the Arizona Criminal Justice Commission also developed a strategic plan to implement the projects that would allow for statewide integration. The critical budget item—and corresponding strategic plan—is not an end-all to the issue of justice information sharing in Arizona, but adoption of the plan and corresponding funding, \$24.3 million, will build an infrastructure and put in place programs that can be replicated throughout the state.

As efforts continue to seek out funding necessary to create a statewide criminal justice integrated information system, local and county integration projects continue to be developed. It is critical that the state invest in the integration efforts to provide a foundation that the criminal justice community can build upon for the sharing of criminal justice information. Without the investment from the state, the local and county

integration efforts will benefit only their jurisdictions and the state will be the bottleneck in integration.

Collaboration among criminal justice agencies continues through a governance structure to include sub-committees addressing the policy/business processes, technology and limited funding of the various initiatives currently set as the Arizona Integrated Criminal Justice System (AZICJS) plan to benefit all justice agencies statewide.

## **Overview of the Strategic Plan**

### **BUILD**

- Build sound architecture for justice information exchange by leveraging the internet.
- Build a trusted framework for integrating justice operations across agencies.

### **SECURE**

- Develop security requirements that embrace all justice agencies operations for data sharing.
- Develop and implement comprehensive security policies for the sharing of justice and public safety information among authorized users.

### **LEVERAGE**

- Leverage available resources to establish a strategic direction as well as a tactical implementation plan for the investment of accurate, complete and timely justice information exchange.
- Leverage local and county initiatives for on-going operation of cost-effective solutions.

## **Four Focus Areas for Integration Initiatives:**

1. Expand the capability of the Arizona Disposition Reporting System (ADRS) and the Arrest Capture Data Collection System (AC/DC).
2. Deliver an information tracking capability from “first point of contact” through final disposition.
3. Deliver an integrated information query capability across justice systems.
4. Build on initiatives to share information with federal programs.

ACJC continues to work on collaborative efforts for integration and records improvements for Arizona, but the inability to bring the state system into a structure that can accommodate information from local and county systems hinders Arizona’s ability to

improve the criminal information exchange. Federal funding reductions have seriously crippled the state's ability to build a statewide infrastructure to improve criminal history records. Funding this plan would create an infrastructure that would allow local, county and state agencies the ability to transmit information electronically and share intelligence information in an automated fashion by establishing privacy, security, technical and data standards in a statewide collaborative approach. It is important to note that this would require that local jurisdictions contribute funding to buy into the integrated justice system.

The Arizona Criminal Justice Commission (ACJC) will focus on the projects directed at establishing a statewide integrated justice system to link information systems used by federal, state, local and tribal criminal justice entities. However, it is important to note that the state is at a critical juncture. Without a coordinated effort for statewide integration of criminal record information, agencies will continue to service their own needs and information will continue to be "disjointed" and difficult for the criminal justice community and the business community to rely on the information to make critical business and safety decisions. As technology continues to change rapidly, the risks are compounded for local systems to be able to integrate into a state infrastructure. The costs to the state will increase each year a solution is not implemented to set statewide standards for the ability to share critical criminal information among agencies in the criminal justice community and for private sector background checks. As local and county agencies continue to work on individual solutions, it will leave the state in a position of having to coordinate disparate systems at a much higher cost and money will be wasted if there is no statewide coordination of the integration efforts.

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### **About ACJC**

*The Arizona Criminal Justice Commission is a statutorily authorized entity mandated to carry out various coordinating, monitoring and reporting functions regarding the administration and management of criminal justice programs in Arizona. In accordance with statutory guidelines, the Commission is comprised of 19 Commissioners who represent various elements of the criminal justice system in Arizona. Five of the 19 Commission members are agency heads, while the other 14 are appointed by the Governor to serve for two-year terms. ACJC was created in 1982 to serve as a resource and service organization for Arizona's 480 criminal justice agencies on a myriad of issues ranging from drugs, gangs, victim compensation and assistance to criminal record improvement initiatives. The ACJC works on behalf of the criminal justice agencies in Arizona to facilitate information and data exchange among statewide agencies by: establishing and maintaining criminal justice information archives; monitoring new and continuing legislation relating to criminal justice issues; and gathering information and research on existing criminal justice programs.*